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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA :  
 :  
 : Hon. Peter G. Sheridan  
 :  
 v. :  
 : Crim. Case No. 07-492-04  
 :  
 JUSTIN KIM a/k/a "YONG KON KIM" :  
 :

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**MOTION FOR CONTINUANCE FOR ADJOURNMENT OF SENTENCE**

TODD D. GREENBERG affirms under the penalty of perjury.

Affiant is an Attorney at Law duly admitted to practice in the Eastern and Southern District of New York and represents the above named Defendant, pro hac vice.

1) The Defendant is seeking an adjournment and continuance of sentencing, which, pursuant to Order entered on October 14, 2008, has been scheduled for November 5, 2008 at 12:00 p.m. before this Honorable Court.

2) The reasons for this request are as follows:

First, the Pre-Sentence report was received by this office on September 29, 2008. The time period between that date and the Sentence date of November 5, 2008 included several days that I have observed for the Jewish holidays. Due to the holidays, I have not been able to review the Pre-Sentence Report thoroughly and discuss same with my client. Therefore, the additional time is respectfully requested to review the Pre-Sentence Report at length and meet with my client and file objections, if any.

*As Ordered  
Sentencing  
shall be November  
20, 2008  
Peter H. Hirsch  
10/21/08*

Second, I have various trials and hearings scheduled during the last two weeks of October, including a continued hearing on a murder case scheduled for Monday, October 20, 2008, which needs my immediate attention.

- 3) For the above reasons the continuance is requested and would be appreciated.
- 4) I have spoken to AUSA Bradley Harsh, who had no objection to continuing this matter.

**WHEREFORE**, it is respectfully requested that this Honorable Court set a date in December, at the convenience of this Court, for sentencing.

Dated: Forest Hills, New York  
October 16, 2008

S/Todd D. Greenberg  
ADDABBO & GREENBERG  
Attorneys Defendant  
118-21 Queens Blvd. Suite 306  
Forest Hills, New York 11375  
Tel. No. 718-268-0400